

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**LAYTHRON TILLIS, an individual
and ETHEL TILLIS, an individual,**

Plaintiffs,

VS.

**CECIL E. CAMERON, an individual;
HERTZ CLAIMS MANAGEMENT, a
foreign corporation; THE HERTZ
CORPORATION, a foreign corporation,**

Defendants.

Case No.: 1:07-cv-78-WKW

MOTION TO AMEND

COMES NOW the Defendant Cecil E. Cameron, and submits this Motion to Amend his Answer in the above-referenced matter. The First Amended Answer is attached hereto. As grounds therefore, this Defendant would show unto the Court that this motion is timely made and the First Amended Answer asserts meritorious defenses.

/s/ Randall Morgan

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CERTIFICATE OF SERVICE

I hereby certify that on this the 2nd day of January, 2008, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to the following via email:

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/s/ *Randall Morgan*

OF COUNSEL

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FIRST AMENDED ANSWER

COMES NOW the Defendant Cecil E. Cameron, and herewith gives amends his answer as follows:

32. This Defendant avers that given Alabama's policy against apportionment of damages among joint tortfeasors, the imposition of punitive damages in the case at hand would punish Defendant for the conduct of others in violation of Defendant's due process rights under the Fifth and Fourteenth Amendments to the United States Constitution.

33. This Defendant avers that given Alabama's policy against apportionment of damages among joint tortfeasors, the imposition of punitive damages in the case at hand would subject Defendant to excessive fines in violation of the Eighth Amendment of the United States Constitution and Defendants due process rights.

34. This Defendant avers that given Alabama's policy against apportionment

of damages among joint tortfeasors, the imposition of punitive damages in the case at hand would punish Defendant for the conduct of others in violation of Defendants due process rights and Article I, § § 1 and 13 of the Alabama Constitution.

/s/ *Randall Morgan*

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/s/ *Randall Morgan*

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